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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/621,829	07/17/2003	Volker Klaus Null	TS-9504 (US) 1992		
23632	7590 11/01/2006		EXAMINER		
SHELL OIL COMPANY			LEE, RIP A		
P O BOX 2463	3 FX 772522463		ART UNIT	PAPER NUMBER	
HOUSTON, I	1.X 772322403		1713•	1713 ·	
			DATE MAILED: 11/01/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

•	Application No.	Applicant(s)	
Advisory Action	10/621,829	NULL, VOLKER KLAUS	
efore the Filing of an Appeal Brief	Examiner	Art Unit	

·	Application No.	Applicant(s)				
Advisory Action	10/621,829	NULL, VOLKER KLAUS				
Before the Filing of an Appeal Brief	Examiner	Art Unit				
	Rip A. Lee	1713				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence addi	ess			
THE REPLY FILED 16 October 2006 FAILS TO PLACE THIS A		•				
<ol> <li>The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:</li> </ol>	the same day as filing a Notice of wing replies: (1) an amendment, aff tice of Appeal (with appeal fee) in c ce with 37 CFR 1.114. The reply mu	Appeal. To avoid abar idavit, or other eviden- compliance with 37 CF	ce, which R 41.31; or (3)			
a) The period for reply expires 6 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A	Advisory Action, or (2) the date set forth	in the final rejection, whi	chever is later. In			
Examiner Note: If box 1 is checked, check either box (a) or	no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN					
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7 Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing dar	of the fee. The appropria	ate extension fee e action: or (2) as			
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).						
AMENDMENTS						
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co			cause			
(b) They raise the issue of new matter (see NOTE belo		i E below),				
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for						
appeal; and/or (d) ☐ They present additional claims without canceling a	corresponding number of finally rei	noted alaims				
NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of imally rep	ected claims.				
4. The amendments are not in compliance with 37 CFR 1.13	21. See attached Notice of Non-Co	mpliant Amendment (	PTOL-324).			
5. Applicant's reply has overcome the following rejection(s)		,				
6. Newly proposed or amended claim(s) would be al non-allowable claim(s).	lowable if submitted in a separate,	timely filed amendme	nt canceling the			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro-	will not be entered, or b)      will will will will will will will	l be entered and an e	xplanation of			
The status of the claim(s) is (or will be) as follows:						
Claim(s) allowed: Claim(s) objected to:						
Claim(s) rejected:						
Claim(s) withdrawn from consideration:	•					
AFFIDAVIT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, but	it before or on the date of filing a Ne	ation of Appeal will not	t ha antarad			
because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).	d sufficient reasons why the affidav	it or other evidence is	necessary and			
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).						
10. The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attach	ed.			
11.  The request for reconsideration has been considered bu See Continuation Sheet.	t does NOT place the application in	condition for allowan	ce because:			
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).						
13. Other:		_ \				
		e wh	)			

DAVID W. WU SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1700

Continuation of 11. does NOT place the application in condition for allowance because: Applicants submit that Migchels et al. and Gapinski do not disclose the instant invention because the amount of Fischer-Tropsch derived oil lies outside that disclosed in the instant invention. The examiner notes that independent claims 29 and 47 recite the presence of two components and not their relative amounts. In this context, the subject matter of these claims is obvious over the teachings of the cited prior art. Moreover, Gapinski teaches use of a lower limit of 10 wt % of oil. The term "as plasticizer" in the instant claims indicates function rather than amount. The Fischer-Tropsch oil, ipso facto, qualifies as plasticizer, regardless of amount. Applicants cite Ullman's Encylopedia as evidence to overcome the rejection of claims under 112/2nd paragraph. The definition of "clear" as pertains to polystyrenes could not be located. The examiner requests elucidation of this term. IN light of this and previous discussion, the rejections of record have not been withdrawn.